

## **Criminal Damage: Burnt Bridges?**

*A 15 year old boy sawed pieces of wood off  
a bridge and built a fire which caused  
£2,500 worth of damage*

At Christmas 2001, 15 year old Robin was out with a group of friends, at their usual meeting place – a den in a hollowed out thorn bush. They had a set of tools including a saw, an axe, a hammer and nails. During the evening, Robin had an argument with a friend and ran off with the saw. He ran and sat by a bridge nearby, getting very cold. He decided to saw bits of wood off the bridge to build a fire to keep warm. He sat by the fire for about an hour while he calmed down, and then went home. A witness called the Police and Robin was arrested. As he had previously received a Final Warning, the matter was referred to Court. Robin came to the Youth Offending Team after receiving a 3 month Action Plan Order for a Criminal Damage offence. He was a bright young man who was studying for his GCSE's and was on target to obtain high grades. Robin's parents were extremely distressed by his involvement in the incident and talked openly about their shame and embarrassment, particularly having to go to Court, and being made subject to a Parental Bindover. Whilst preparing the Pre Sentence Report, contact was made with the local council who owned the bridge. They agreed that it would be appropriate for a representative of the local council to meet with Robin in a Restorative Justice Conference, to help him understand the consequences of his actions and to give him an opportunity to repair some of the harm he caused. Robin wanted to meet with the representative, as he wanted to apologise for what he had done. His parents were keen for the meeting to take place so that Robin could gain a better understanding of the impact of his behaviour on other people. The mediators met with Robin and his mother Betty on 2 occasions prior to the meeting to ensure they understood the process and to answer any questions they might have. Robin decided that he only wanted Betty to be present at the meeting, as he was concerned that his father had been unwell and he did not want to make things worse for him. His parents agreed with this decision. The mediators also met with Paul, the council representative who was going to attend the meeting, to explain the process to him. This was to ensure that the process was as safe as possible for everyone involved. Paul informed the mediators that he had some photographs of the damage, which totalled £2,500, and suggested he show them to Robin and his mother at the meeting. Paul also agreed to liaise with the farmer involved, to obtain his views on the matter.

### **The Meeting**

The meeting took place at the Youth Offending Team office as this was felt to be a safe, neutral environment. Paul arrived 10 minutes before Robin and his Mother, to avoid any difficult first meetings on the doorstep. When Robin and his Mother arrived, Paul immediately shook Robin's hand and spoke to Betty, who appeared very nervous. After introductions, the mediator asked Robin to tell those people

present, exactly what had happened on the evening. Despite being nervous, Robin was able to explain fully what had happened and to demonstrate a limited understanding of the effects on others. Paul then explained to the meeting how he first found out about the damage to the bridge, what effect the incident had on others, including the local farmer whose cattle were grazing in the field and escaped as a result of the damage. He showed the photographs to the meeting. Betty was visibly shocked and upset when she saw the extent of the damage, as was Robin. Betty was then asked to say how she felt about the matter. She produced 2 pieces of paper that she and Robin's father had prepared together, which she asked to read out. What she read was powerful and shocked everyone, especially Robin, who fought hard not to cry. It was clear that Betty's words were genuine and that Robin had previously had no idea of the hurt and upset he had caused his parents. Robin's parents were very committed to helping him make positive changes in his life and saw the meeting as a way of telling him how they felt. Robin apologised to Paul for what he had done, and Paul agreed to pass this on to his Manager and colleagues. However Robin offered to write to them, and the Leader of the Council, expressing his remorse. Robin's mother suggested that he should also write to the farmer, whose cattle had escaped as a result of the damage. These letters were subsequently written and sent to the relevant people. Robin apologised to his mother in the meeting, something which (he admitted later), was harder than doing so to the victim. At the conclusion of the meeting, Paul and Robin struck up a conversation about motorbikes. Paul was able to tell him where there are approved, organised sites for him to take part in 'off road motorcycling'. Paul also told Robin that he hoped he would see him in the future using the countryside facilities in a positive way.

### **Post Meeting**

Some months later, Robin and Paul were featured in *Youth Justice Board News*, as an example of the positive benefits of Restorative Justice. By this time, Robin had finished working with the Youth Offending Team and was making good progress in his life, studying hard for his GCSEs and working part-time to repay his parents for the fine they received. There had been no further offending and it was hoped that Robin's brief contact with the criminal justice system was over. Nonetheless, he wanted to share his story with others – he and his parents felt that this may help other offenders and victims in the future, and in turn reduce offending by young people.